

BILL NO. G- 84-07-07

GENERAL ORDINANCE G- 14-84

AN ORDINANCE of the Common Council  
approving of an amendment to the Cable  
Communications System Contract.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, has established a mechanism for a cable communications system and the awarding of a franchise with respect thereto under General Ordinance Number G-27-77;

WHEREAS, pursuant to said Ordinance Number G-27-77, the Common Council has awarded a franchise for the construction, operation and maintenance of a cable communications system, said franchise awarded under General Ordinance Number G-20-78;

WHEREAS, the awarding of the franchise is memorialized in a contract between the City and the Franchisee of August 16, 1978; and,

WHEREAS, the parties of said contract desire to amend same.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the proposed amendment to the cable communications contract, two (2) copies of which are annexed hereto, is hereby ratified, confirmed and approved. Two (2) copies of the Amendment are on file in the City Clerk's Office.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all approval by the Mayor and legal publication thereof.

Samuel J. Talarico  
Councilmember

DISAPPROVED AS TO FORM  
AND LEGALITY

Stanley A. Levine  
STANLEY A. LEVINE, ATTORNEY  
FOR THE COMMON COUNCIL



AMENDMENT TO CONTRACT

---

THIS AGREEMENT, made and entered into this 3rd day of July, 1984, by and between COX CABLE FORT WAYNE (formerly Citizens Cable of Fort Wayne), hereinafter called "Franchisee" and the CITY OF FORT WAYNE, INDIANA, hereinafter called the "City".

WITNESSETH:

WHEREAS, the parties hereto are parties to a certain contract dated August 16, 1978, providing for the construction, operation and maintenance of a cable communications system in the City of Fort Wayne, Indiana;

WHEREAS, said contract between the parties is governed by and incorporates by reference therein, General Ordinance G-27-77; and,

WHEREAS, the parties desire to amend the contract between them.

NOW THEREFORE, for good and valuable consideration the receipt and sufficiency which is hereby acknowledged,

The contract between the parties dated August 16, 1978, is amended by addition thereto the following language:

The Franchisee agrees that it will not show x-rated films or programs, and the Franchisee specifically agrees that it is prohibited from showing any such x-rated films or programs. X-rated as herein used refers to that rating as used by the Motion Picture Association of America and to material which has



not been rated by the MPAA but which is the same in content to films which are x-rated. Franchisee agrees that any violation hereof shall be cause for termination of the franchise and contract pursuant to the procedures as outlined in General Ordinance G-27-77.

In all other respects, the contract between the parties dated August 16, 1978, is hereby reaffirmed and ratified.

IN WITNESS WHEREOF, this document has been signed the day, month and year first above written.

COX CABLE FORT WAYNE

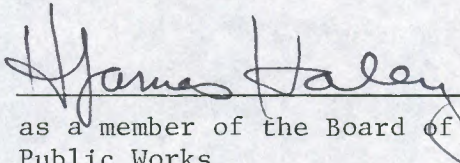
BY: 

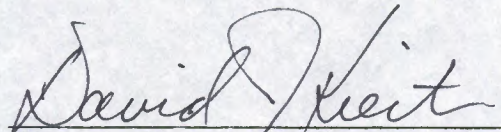
DAVID JENKINS  
Regional Manager Central <sup>Region</sup> Division

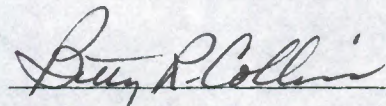
CITY OF FORT WAYNE

BY: 

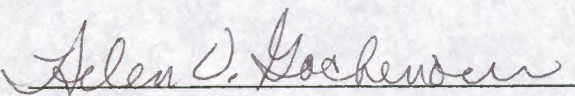
WINFIELD C. MOSES, JR.  
as its Mayor

  
as a member of the Board of  
Public Works

  
DAVID J. KIESTER, as a member  
of the Board of Public Works

  
BETTY COLLINS, as a member of  
the Board of Public Works

ATTESTED BY:

  
HELEN V. GOCHENOUR, Clerk



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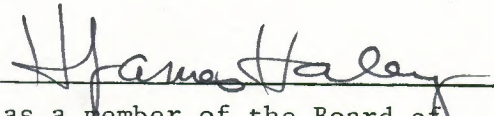
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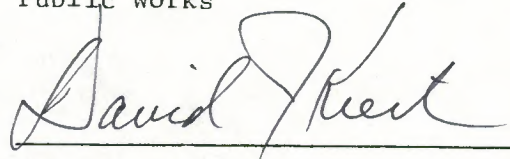
DAVID JENKINS  
Regional Manager Central <sup>Region</sup> Division

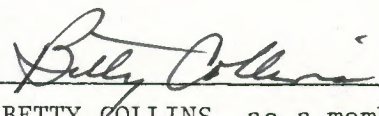
CITY OF FORT WAYNE

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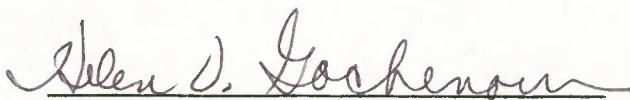
WINFIELD C. MOSES, JR.  
as its Mayor

  
as a member of the Board of  
Public Works

  
DAVID J. KIESTER, as a member  
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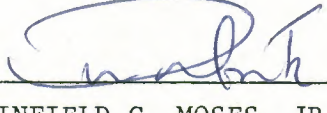
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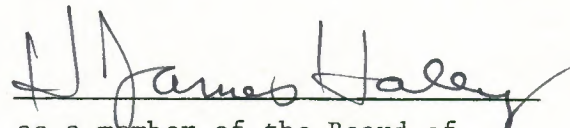
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COX CABLE FORT WAYNE

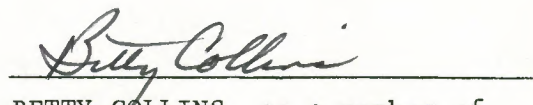
BY:   
DAVID JENKINS  
Regional Manager Central <sup>Region</sup> ~~Division~~

CITY OF FORT WAYNE


BY:   
WINFIELD C. MOSES, JR.  
as its Mayor

  
as a member of the Board of  
Public Works

  
DAVID J. KIESTER, as a member  
of the Board of Public Works

  
BETTY COLLINS, as a member of  
the Board of Public Works

ATTESTED BY:

  
HELEN V. GOCHENOUR, Clerk



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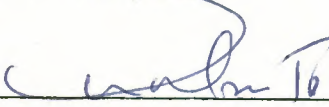
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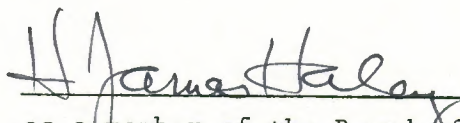
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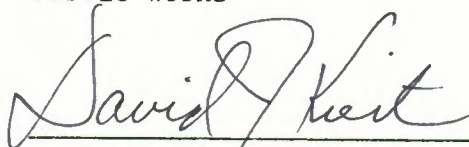
COX CABLE FORT WAYNE

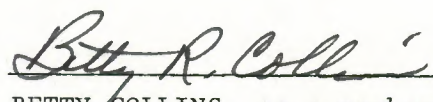
BY:   
DAVID JENKINS  
Regional Manager Central <sup>Region</sup> Division

CITY OF FORT WAYNE

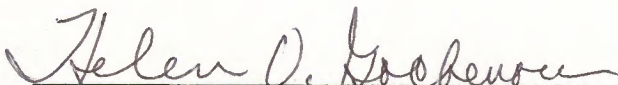
BY:   
WINFIELD C. MOSES, JR.  
as its Mayor

  
as a member of the Board of  
Public Works

  
DAVID J. KIESTER, as a member  
of the Board of Public Works

  
BETTY COLLINS, as a member of  
the Board of Public Works

ATTESTED BY:

  
HELEN V. GOCHENOUR, Clerk



Read the first time in full and on motion by Talarico, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.

DATE: 7-10-84 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Talarico, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 7-24-84 Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (GENERAL) (~~SPECIAL~~) (~~ZONING MAP~~) ORDINANCE (RESOLUTION) NO. 9-14-84 on the 24th day of July, 1984,

ATTEST: (SEAL)  
Sandra E. Kennedy Ray A. E. Clark  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1984, at the hour of 11:30 o'clock 11 .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 25th day of July, 1984, at the hour of 3:00 o'clock PM .M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



BILL NO. G-84-07-07

REPORT OF THE COMMITTEE ON *Committee of the Whole* PUBLIC WORKS

WE, YOUR COMMITTEE ON *Committee of the Whole* PUBLIC WORKS TO WHOM WAS REFERRED AN  
ORDINANCE of the Common Council approving of an amendment to the  
Cable Communications System Contract

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE *Do* PASS.

SAMUEL J. TALARICO, CHAIRMAN

*Samuel J. Talarico*

CHARLES B. REDD, VICE CHAIRMAN

*Charles B. Redd*

JANET G. BRADBURY

PAUL M. BURNS

*[Signature]* 7-24-84  
CONCURRED IN  
SANDRA E. KENNEDY, CITY CLERK

THOMAS C. HENRY

*Jones Steve*  
*Ben. C. Smith*  
*Don Schmeck*  
*W. H. M. D. T.*

*By A. C. ✓*





# The City of Fort Wayne

August 1, 1984

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the dates of August 4, 1984 and August 11, 1984, in both the News Sentinel and Journal Gazette.

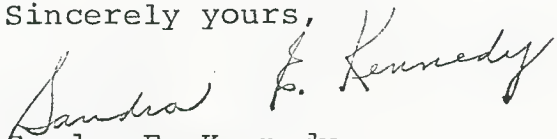
RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-84-07-07  
General Ordinance No. G-14-84

Please send us 5 copies of the Publisher's Affidavit from both the newspapers.

Thank you.

Sincerely yours,

  
Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 24th day of July, 19 84, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-84-07-07 General Ordinance No. G-14-84 to-wit:

BILL NO. G- 84-07-07

GENERAL ORDINANCE G- 14-84

AN ORDINANCE of the Common Council approving of an amendment to the Cable Communications System Contract.

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, has established a mechanism for a cable communications system and the awarding of a franchise with respect thereto under General Ordinance Number G-27-77;

WHEREAS, pursuant to said Ordinance Number G-27-77, the Common Council has awarded a franchise for the construction, operation and maintenance of a cable communications system, said franchise awarded under General Ordinance Number G-20-78;

WHEREAS, the awarding of the franchise is memorialized in a contract between the City and the Franchisee of August 16, 1978; and,

WHEREAS, the parties of said contract desire to amend same.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the proposed amendment to the cable communications contract, two (2) copies of which are annexed



Read the third time in full and on motion by Talarico, seconded by Stier, and duly adpoted, placed on its passage. PASSED by the following vote:

Ayes: Eight  
Bradbury, Burns, Eisbart, GiaQuinta, Redd,  
Schmidt, Stier, Talarico  
Nays: One  
Henry

Date: 7-24-84  
Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-84 on the 24th day of July, 1984.

ATTEST: (SEAL)

Sandra E. Kennedy  
City Clerk  
Ben A. Eisbart  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of July, 1984, at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy  
City Clerk

Approved and signed by me this 25th day of July, 1984, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.  
Mayor

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of \_\_\_\_\_ General \_\_\_\_\_ Ordinance No. G-14-84, passed by the Common Council on the 24th day of July, 19 84, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 19 84, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 19 84.

SEAL

SANDRA E. KENNEDY, CITY CLERK







Fort Wayne Common Council  
(Governmental Unit)  
Allen  
County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		1
Head	number of lines	132
Body	number of lines	1
Tail	number of lines	134
Total number of lines in notice		

COMPUTATION OF CHARGES

134	1	134	.450¢	60.30
lines, columns wide equals equivalent lines at cents per line				
Additional charge for notices containing rule or tabular work (50 per cent of above amount)				
Charge for extra proofs of publication (50 cents for each proof in excess of two)				3 extraa 1.50
TOTAL AMOUNT OF CLAIM				61.80

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 2	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date Aug. 11 84 19

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana  
Allen County SS:

Personally appeared before me, a notary public in and for said county and state, the  
Drusilla Roose

undersigned who, being duly sworn, says  
CLERK

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published

the English language in the city of FORT WAYNE, INDIANA

state and county aforesaid, and that the printed matter attached hereto is a true copy,  
two times

which was duly published in said paper for the dates of publication being

8/4 - 8/11/84

follows:

scribed and sworn to me before this 11th day of August 19 84

Drusilla Roose  
Shelley R. Lukue  
Notary Public

March 6, 1986

my commission expires



Fort Wayne Common Council

(Governmental Unit)

Allen

County, IN

To ..... NEW-SENTINEL ..... Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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GENERAL ORDINANCE G-14-84  
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SECTION 1. That the proposed amendment to the cable communications contract, two (2) copies of which are annexed hereto, is ratified, confirmed and approved. Two (2) copies of the Amendment are on file in the City Clerk's Office.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all approval by the Mayor and legal publication thereof. Samuel J. Talarico  
Councilmember

AMENDMENT TO CONTRACT  
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IN WITNESS WHEREOF, this document has been signed the day, month and year first above written.

COX CABLE FORT WAYNE  
BY: DAVID JENKINS

Regional Manager Central Region

CITY OF FORT WAYNE  
BY: WINFIELD C. MOSES, JR.  
as its Mayor

H. James Haley, as a member  
of the Board of Public Works

DAVID J. KESTER, as a member  
of the Board of Public Works

BETTY COLLINS, as a member of  
the Board of Public Works

ATTESTED BY:

HELEN V. GOCHENOUR, Clerk

Read the third time in full and on motion by Talarico, seconded by Stier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight  
Bredbury, Burns, Eisbart, GieQuinte, Redd, Schmidt, Stier, Talarico

Nays: One  
Henry  
Date: 7-24-84

Sandra E. Kennedy  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as General Ordinance No. G-14-84 on the 24th day of July, 1984.

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City Clerk

Ben A. Eisbart  
Presiding Officer

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City Clerk

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Win Moses, Jr.  
Mayor

I, the Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-14-84, passed by the Common Council on the 24th day of July, 1984, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of July, 1984, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of July, 1984.

SANDRA E. KENNEDY, CITY CLERK

8/4-11

ines

ines

ines

of lines in notice

ine

ices containing rule or tabular work (50 per cent of above amount)

of publication (50 cents for each proof in excess of two)

OUNT OF CLAIM

12.5 picas

2

Ch. 89., Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the  
Drusilla Roose

undersigned ..... who, being duly sworn, says

that he/she is ..... CLERK ..... of the

NEWS-SENTINEL

a ..... DAILY ..... newspaper of general circulation printed and published

in the English language in the city ..... FORT WAYNE, INDIANA  
town of .....

in state and county aforesaid, and that the printed matter attached hereto is a true copy.

which was duly published in said paper for ..... two times ..... the dates of publication being

as follows:

8/4 - 8/11/84

Subscribed and sworn to me before this 11th day of August 1984

Notary Public

My commission expires March 6, 1986



Fort Wayne Common Council  
(Governmental Unit)  
Allen  
County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT		
Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		1
Head	number of lines	132
Body	number of lines	1
Tail	number of lines	134
Total number of lines in notice		

COMPUTATION OF CHARGES		
134 lines, 1 columns wide equals 134 equivalent lines at .450¢		\$ 60.30
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra		1.50
TOTAL AMOUNT OF CLAIM		\$ 61.80

DATA FOR COMPUTING COST		
Width of single column 12.5 picas	Size of type 6 point	
Number of insertions 2	Size of quad upon which type is cast 6	

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Aug. 11 84  
Date 19

Drusilla Roose  
Title CLERK

FORM #903

PUBLISHER'S AFFIDAVIT

20% Discount. References.  
COMPLETE DRYWALL & PLASTER REPAIR - Remodelling & textured ceilings; 747-6498 or 489-1669  
DRY WALL & PLASTER REPAIR - Painting, textured & sprayed ceilings. 424-6959  
EXTERIOR HOUSE PAINTING Reasonable prices. Call 747-0161.  
PAINTING-WALLPAPERING Exterior & interior. Quality work. Free estimates. Experienced. References. 483-1063.  
PAINTING & PAPERING HOUSE CLEANING. Free estimates. 744-3882  
PAPER HANGING & Carpenter work of all kinds 483-3011  
SEMINARY STUDENTS PRE-CISION PAINTING-Interior & exterior. References, insured, free estimates. 486-4640.  
WALLPAPERING & PAINTING 489-9131. Aid in selection & measuring. 8-5, Sat.  
MAGIC JEANNE 493-3291  
WALLPAPERING & PAINTING Quality work, reasonable rates, references. K&K Interiors, 489-5841 or 485-7198  
Plumbing Service & Supplies 159  
D & J - Reliable, Fair Prices. Repair-Remodeling 422-8909  
Dick Wolf, Jim Smith  
L & H PLUMBING - Complete service, free estimate, no service charge. 422-1652  
Roofing / Siding 164  
AA-JAYS - Siding, gutters, cleaned, repaired, installed. 746-6332  
AAA ROOFING & SPOUTING Also repair flatroofs with hot

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA of town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being as follows:  
8/4 - 8/11/84

Subscribed and sworn to me before this 11th day of August 19 84

Shelley R. Lasker  
Notary Public

My commission expires March 6, 1986